

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1141

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IN THE SENATE OF THE UNITED STATES

JULY 12 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Environment and  
Public Works

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## AN ACT

To amend the Act popularly known as the “Sikes Act”  
to enhance fish and wildlife conservation and natural  
resources management programs.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sikes Act Improvement  
5 Amendments of 1995”.

1 **SEC. 2. AMENDMENT OF SIKES ACT.**

2 Except as otherwise expressly provided, whenever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the reference shall be considered to be made to a  
6 section or other provision of the Act entitled “An Act to  
7 promote effectual planning, development, maintenance,  
8 and coordination of wildlife, fish, and game conservation  
9 and rehabilitation in military reservations”, approved Sep-  
10 tember 15, 1960 (16 U.S.C. 670a et seq.), commonly re-  
11 ferred to, and in this Act referred to, as the “Sikes Act”.

12 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**  
13 **PLANS GENERALLY.**

14 (a) IN GENERAL.—Section 101(a) (16 U.S.C.  
15 670a(a)) is amended—

16 (1) by striking “is authorized to” and inserting  
17 “shall”;

18 (2) by striking “in each military reservation in  
19 accordance with a cooperative plan” and inserting  
20 the following: “on military installations. Under the  
21 program, the Secretary shall prepare and implement  
22 for each military installation in the United States an  
23 integrated natural resource management plan”;

24 (3) by inserting after “reservation is located”  
25 the following: “, except that the Secretary is not re-  
26 quired to prepare such a plan for a military installa-

1       tion if the Secretary determines that preparation of  
2       such a plan for the installation is not appropriate”;  
3       and

4               (4) by inserting “(1)” after “(a)”, and adding  
5       at the end the following new paragraph:

6               “(2) Consistent with essential military require-  
7       ments to enhance the national security of the United  
8       States, the Secretary of Defense shall manage each  
9       military installation to provide—

10              “(A) for the conservation of fish and wild-  
11              life on the military installation and sustained  
12              multipurpose uses of those resources, including  
13              hunting, fishing, and trapping; and

14              “(B) public access that is necessary or ap-  
15              propriate for those uses.”.

16       (b) CONFORMING AMENDMENTS.—Title I, as amend-  
17       ed by subsection (a) of this section, is further amended—

18              (1) in section 101(b) (16 U.S.C. 670a(b)) in  
19       the matter preceding paragraph (1) by striking “co-  
20       operative plan” and inserting “integrated natural re-  
21       source management plan”;

22              (2) in section 101(b)(4) (16 U.S.C. 670a(b)(4))  
23       by striking “cooperative plan” each place it appears  
24       and inserting “integrated natural resource manage-  
25       ment plan”;

1           (3) in section 101(c) (16 U.S.C. 670a(c)) in the  
2       matter preceding paragraph (1) by striking “a coop-  
3       erative plan” and inserting “an integrated natural  
4       resource management plan”;

5           (4) in section 101(d) (16 U.S.C. 670a(d)) in  
6       the matter preceding paragraph (1) by striking “co-  
7       operative plans” and inserting “integrated natural  
8       resource management plans”;

9           (5) in section 101(e) (16 U.S.C. 670a(e)) by  
10      striking “Cooperative plans” and inserting “Inte-  
11      grated natural resource management plans”;

12          (6) in section 102 (16 U.S.C. 670b) by striking  
13      “a cooperative plan” and inserting “an integrated  
14      natural resource management plan”;

15          (7) in section 103 (16 U.S.C. 670c) by striking  
16      “a cooperative plan” and inserting “an integrated  
17      natural resource management plan”;

18          (8) in section 106(a) (16 U.S.C. 670f(a)) by  
19      striking “cooperative plans” and inserting “inte-  
20      grated natural resource management plans”; and

21          (9) in section 106(c) (16 U.S.C. 670f(c)) by  
22      striking “cooperative plans” and inserting “inte-  
23      grated natural resource management plans”.

24      (c) CONTENTS OF PLANS.—Section 101(b) (16  
25      U.S.C. 670a(b)) is amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (C) by striking “and”  
3 after the semicolon;

4 (B) in subparagraph (D) by striking the  
5 semicolon at the end and inserting a comma;  
6 and

7 (C) by adding at the end the following:

8 “(E) wetland protection and restoration,  
9 and wetland creation where necessary, for sup-  
10 port of fish or wildlife,

11 “(F) consideration of conservation needs  
12 for all biological communities, and

13 “(G) the establishment of specific natural  
14 resource management goals, objectives, and  
15 time-frames for proposed actions;”;

16 (2) by striking paragraph (3);

17 (3) by redesignating paragraph (2) as para-  
18 graph (3);

19 (4) by inserting after paragraph (1) the follow-  
20 ing:

21 “(2) shall for the military installation for which  
22 it is prepared—

23 “(A) address the needs for fish and wildlife  
24 management, land management, forest manage-  
25 ment, and wildlife-oriented recreation;

1           “(B) ensure the integration of, and con-  
2           sistency among, the various activities conducted  
3           under the plan;

4           “(C) ensure that there is no net loss in the  
5           capability of installation lands to support the  
6           military mission of the installation;

7           “(D) provide for sustained use by the pub-  
8           lic of natural resources, to the extent that such  
9           use is not inconsistent with the military mission  
10          of the installation or the needs of fish and wild-  
11          life management;

12          “(E) provide the public access to the in-  
13          stallation that is necessary or appropriate for  
14          that use, to the extent that access is not incon-  
15          sistent with the military mission of the installa-  
16          tion; and

17          “(F) provide for professional enforcement  
18          of natural resource laws and regulations;”;

19          (5) in paragraph (4)(A) by striking “collect the  
20          fees therefor,” and inserting “collect, spend, admin-  
21          ister, and account for fees therefor,”.

22          (d) PUBLIC COMMENT.—Section 101 (16 U.S.C.  
23          670a) is amended by adding at the end the following:

24          “(f) PUBLIC COMMENT.—The Secretary of Defense  
25          shall provide an opportunity for public comment on each

1 integrated natural resource management plan prepared  
2 under subsection (a).”.

3 **SEC. 4. REVIEW FOR PREPARATION OF INTEGRATED NATU-**  
4 **RAL RESOURCE MANAGEMENT PLANS.**

5 (a) REVIEW OF MILITARY INSTALLATIONS.—

6 (1) REVIEW.—The Secretary of each military  
7 department shall, by not later than 9 months after  
8 the date of the enactment of this Act—

9 (A) review each military installation in the  
10 United States that is under the jurisdiction of  
11 that Secretary to determine the military instal-  
12 lations for which the preparation of an inte-  
13 grated natural resource management plan  
14 under section 101 of the Sikes Act, as amended  
15 by this Act, is appropriate; and

16 (B) submit to the Secretary of Defense a  
17 report on those determinations.

18 (2) REPORT TO CONGRESS.—The Secretary of  
19 Defense shall, by not later than 12 months after the  
20 date of the enactment of this Act, submit to the  
21 Congress a report on the reviews conducted under  
22 paragraph (1). The report shall include—

23 (A) a list of those military installations re-  
24 viewed under paragraph (1) for which the Sec-  
25 retary of Defense determines the preparation of

1 an integrated natural resource management  
2 plan is not appropriate; and

3 (B) for each of the military installations  
4 listed under subparagraph (A), an explanation  
5 of the reasons such a plan is not appropriate.

6 (b) DEADLINE FOR INTEGRATED NATURAL RE-  
7 SOURCE MANAGEMENT PLANS.—Not later than 2 years  
8 after the date of the submission of the report required  
9 under subsection (a)(2), the Secretary of Defense shall,  
10 for each military installation for which the Secretary has  
11 not determined under subsection (a)(2)(A) that prepara-  
12 tion of an integrated natural resource management plan  
13 is not appropriate—

14 (1) prepare and begin implementing such a plan  
15 mutually agreed to by the Secretary of the Interior  
16 and the head of the appropriate State agencies  
17 under section 101(a) of the Sikes Act, as amended  
18 by this Act; or

19 (2) in the case of a military installation for  
20 which there is in effect a cooperative plan under sec-  
21 tion 101(a) of the Sikes Act on the day before the  
22 date of the enactment of this Act, complete negotia-  
23 tions with the Secretary of the Interior and the  
24 heads of the appropriate State agencies regarding  
25 changes to that plan that are necessary for the plan



1 to constitute an integrated natural resource plan  
2 that complies with that section, as amended by this  
3 Act.

4 (c) PUBLIC COMMENT.—The Secretary of Defense  
5 shall provide an opportunity for the submission of public  
6 comments on—

7 (1) integrated natural resource management  
8 plans proposed pursuant to subsection (b)(1); and

9 (2) changes to cooperative plans proposed pur-  
10 suant to subsection (b)(2).

11 **SEC. 5. ANNUAL REVIEWS AND REPORTS.**

12 Section 101 (16 U.S.C. 670a) is further amended by  
13 adding after subsection (f) (as added by section 3(d) of  
14 this Act) the following:

15 “(g) REVIEWS AND REPORTS.—

16 “(1) SECRETARY OF DEFENSE.—The Secretary  
17 of Defense shall, by not later than March 1 of each  
18 year, review the extent to which integrated natural  
19 resource management plans were prepared or in ef-  
20 fect and implemented in accordance with this Act in  
21 the preceding year, and submit a report on the find-  
22 ings of that review to the committees. Each report  
23 shall include—

24 “(A) the number of integrated natural re-  
25 source management plans in effect in the year

1 covered by the report, including the date on  
2 which each plan was issued in final form or  
3 most recently revised;

4 “(B) the amount of moneys expended on  
5 conservation activities conducted pursuant to  
6 those plans in the year covered by the report,  
7 including amounts expended under the Legacy  
8 Resource Management Program established  
9 under section 8120 of the Act of November 5,  
10 1990 (Public Law 101–511; 104 Stat. 1905);  
11 and

12 “(C) an assessment of the extent to which  
13 the plans comply with the requirements of sub-  
14 section (b)(1) and (2), including specifically the  
15 extent to which the plans ensure in accordance  
16 with subsection (b)(2)(C) that there is no net  
17 loss of lands to support the military missions of  
18 military installations.

19 “(2) SECRETARY OF THE INTERIOR.—The Sec-  
20 retary of the Interior, by not later than March 1 of  
21 each year and in consultation with State agencies re-  
22 sponsible for conservation or management of fish or  
23 wildlife, shall submit a report to the committees on  
24 the amount of moneys expended by the Department  
25 of the Interior and those State agencies in the year

1 covered by the report on conservation activities con-  
2 ducted pursuant to integrated natural resource man-  
3 agement plans.

4 “(3) COMMITTEES DEFINED.—For purposes of  
5 this subsection, the term ‘committees’ means the  
6 Committees on Resources and National Security of  
7 the House of Representatives and the Committees  
8 on Armed Services and Environment and Public  
9 Works of the Senate.”.

10 **SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATU-**  
11 **RAL RESOURCE MANAGEMENT PLANS; EN-**  
12 **FORCEMENT OF OTHER LAWS.**

13 Title I (16 U.S.C. 670a et seq.) is amended—

14 (1) by redesignating section 106 as section 110;  
15 and

16 (2) by inserting after section 105 the following:

17 **“SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.**

18 “All Federal laws relating to the conservation of nat-  
19 ural resources on Federal lands may be enforced by the  
20 Secretary of Defense with respect to violations of those  
21 laws which occur on military installations within the  
22 United States.”.

1 **SEC. 7. NATURAL RESOURCE MANAGEMENT SERVICES.**

2 Title I (16 U.S.C. 670a et seq.) is amended by insert-  
3 ing after section 106 (as added by section 6 of this Act)  
4 the following:

5 **“SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.**

6 “The Secretary of each military department shall en-  
7 sure that sufficient numbers of professionally trained nat-  
8 ural resource management personnel and natural resource  
9 law enforcement personnel are available and assigned re-  
10 sponsibility to perform tasks necessary to comply with this  
11 Act, including the preparation and implementation of inte-  
12 grated natural resource management plans.”.

13 **SEC. 8. DEFINITIONS.**

14 Title I (16 U.S.C. 670a et seq.) is further amended  
15 by inserting after section 107 (as added by section 7 of  
16 this Act) the following:

17 **“SEC. 108. DEFINITIONS.**

18 “In this title:

19 “(1) **MILITARY DEPARTMENT.**—The term ‘mili-  
20 tary department’ means the Department of the  
21 Army, the Department of the Navy, and the Depart-  
22 ment of the Air Force.

23 “(2) **MILITARY INSTALLATION.**—The term  
24 ‘military installation’—

25 “(A) means any land or interest in land  
26 owned by the United States and administered

1 by the Secretary of Defense or the head of a  
2 military department; and

3 “(B) includes all public lands withdrawn  
4 from all forms of appropriation under public  
5 land laws and reserved for use by the Secretary  
6 of Defense or the head of a military depart-  
7 ment.

8 “(3) STATE FISH AND WILDLIFE AGENCY.—The  
9 term ‘State fish and wildlife agency’ means an agen-  
10 cy of State government that is responsible under  
11 State law for managing fish or wildlife resources.

12 “(4) UNITED STATES.—The term ‘United  
13 States’ means the States, the District of Columbia,  
14 and the territories and possessions of the United  
15 States.”.

16 **SEC. 9. SHORT TITLE.**

17 Title I (16 U.S.C. 670a et seq.) is further amended  
18 by inserting after section 108 (as added by section 7 of  
19 this Act) the following:

20 **“SEC. 109. SHORT TITLE.**

21 “This title may be cited as the ‘Sikes Act’.”.

22 **SEC. 10. COOPERATIVE AGREEMENTS.**

23 (a) COST SHARING.—Section 103a(b) (16 U.S.C.  
24 670c–1(b)) is amended by striking “matching basis” each  
25 place it appears and inserting “cost-sharing basis”.

1 (b) ACCOUNTING.—Section 103a(c) (16 U.S.C.  
2 670c–1(c)) is amended by inserting before the period at  
3 the end the following: “, and shall not be subject to section  
4 1535 of that title”.

5 **SEC. 11. REPEAL.**

6 Section 2 of the Act of October 27, 1986 (Public Law  
7 99–651; 16 U.S.C. 670a–1) is repealed.

8 **SEC. 12. CLERICAL AMENDMENTS.**

9 Title I, as amended by this Act, is further amended—

10 (1) in the heading for the title by striking  
11 “MILITARY RESERVATIONS” and inserting “MILI-  
12 TARY INSTALLATIONS”;

13 (2) in section 101(a) (16 U.S.C. 670a(a)) by  
14 striking “the reservation” and inserting “the instal-  
15 lation”;

16 (3) in section 101(b)(4) (16 U.S.C.  
17 670a(b)(4))—

18 (A) in subparagraph (A) by striking “the  
19 reservation” and inserting “the installation”;  
20 and

21 (B) in subparagraph (B) by striking “the  
22 military reservation” and inserting “the mili-  
23 tary installation”;

24 (4) in section 101(c) (16 U.S.C. 670a(c))—

1 (A) in paragraph (1) by striking “a mili-  
2 tary reservation” and inserting “a military in-  
3 stallation”; and

4 (B) in paragraph (2) by striking “the res-  
5 ervation” and inserting “the installation”;

6 (5) in section 102 (16 U.S.C. 670b) by striking  
7 “military reservations” and inserting “military in-  
8 stallations”; and

9 (6) in section 103 (16 U.S.C. 670c) by striking  
10 “military reservations” and inserting “military in-  
11 stallations”.

12 **SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.**

13 (a) PROGRAMS ON MILITARY INSTALLATIONS.—Sub-  
14 sections (b) and (c) of section 110 (as redesignated by  
15 section 6 of this Act) are each amended by striking  
16 “1983” and all that follows through “1993,” and inserting  
17 “1995, 1996, 1997, and 1998,”.

18 (b) PROGRAMS ON PUBLIC LANDS.—Section 209 (16  
19 U.S.C. 670o) is amended—

20 (1) in subsection (a), by striking “the sum of  
21 \$10,000,000” and all that follows through “to en-  
22 able the Secretary of the Interior” and inserting  
23 “\$4,000,000 for each of fiscal years 1995, 1996,  
24 1997, and 1998, to enable the Secretary of the Inte-  
25 rior”; and

1           (2) in subsection (b), by striking “the sum of  
2     \$12,000,000” and all that follows through “to en-  
3     able the Secretary of Agriculture” and inserting  
4     “\$5,000,000 for each of fiscal years 1995, 1996,  
5     1997, and 1998, to enable the Secretary of Agri-  
6     culture”.

Passed the House of Representatives July 11, 1995.

Attest:

ROBIN H. CARLE,

*Clerk.*